

PLAINTIFF'S
EXHIBIT

16

CITY-COUNTY OF MONTGOMERY
PERSONNEL BOARD HEARING

IN RE APPEAL HEARING FOR:

L. M. HARTWELL,

Employee.

CITY-COUNTY OF MONTGOMERY
PERSONNEL DEPARTMENT

27 Madison Avenue,
Montgomery, Alabama 36101

March 14, 2006

5 p.m.

BEFORE THE PERSONNEL BOARD:

Benita Froemming, Chairman

Charles B. Paterson

Johnny Baker

Taken by: SELAH M. DRYER, CSR

COPY

1 Chief or any higher ranking person without
2 first going through his company officer.

3 Q. Did it come directly to you or
4 did it come up through the ranks?

5 A. My understanding is that it
6 came directly to me. Now, he may have --
7 he may have distributed some other
8 letters, but it was sealed to me.

9 Q. I see. What's the proper
10 procedure? If Sergeant Hartwell wants to
11 get communication to you, what's proper
12 procedure for that?

13 A. He starts first with his
14 immediate supervisor, which would be his
15 company officer.

16 Q. That would be a lieutenant or
17 captain?

18 A. Yes, sir.

19 Q. Is it normal for that to get
20 passed up through the chain of command to
21 you through those officers?

22 A. Yes, sir, it is possible.
23 Going back I did find his communications

1 to me. And I believe the way it went is
2 that he wanted to handmail me a letter.
3 The letter was brought into question by
4 the District Chief because his company
5 officer gave it to the District Chief to
6 bring downtown to me. The District Chief
7 questioned that letter as to whether or
8 not the Captain knew the contents of it
9 and did he actually permit it or sign off
10 on it. The captain's response was
11 basically no, I did not sign off on the
12 letter and I basically did not give him
13 permission. And I believe how it went
14 then is that the District Chief, Kelley
15 Gordon, told the Captain to open the
16 handmail envelope, read the contents, and
17 then sign off on it. That was done and
18 then the District Chief allowed that
19 handmail to come to me.

20 Q. Now is that the first time you
21 got a letter directly from Sergeant
22 Hartwell?

23 A. No, sir.